
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

DOUGLAS ALAN BURDEN,

Plaintiff,

versus

LOLITA RAMOS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:09-CV-819

**MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Douglas Alan Burden, an inmate confined at the Ellis I Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights lawsuit. The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

Plaintiff has filed a motion asking that this matter be certified as a class action. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The magistrate judge recommends the motion be denied.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED.R.CIV.P. 72(b). After careful consideration, the court concludes the objections are without merit.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. Plaintiff's motion for class certification is **DENIED**.

SIGNED at Beaumont, Texas, this 12th day of March, 2012.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE